

# **SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA**

## ***SMALL CLAIMS INFORMATION PACKET***

1. **INSTRUCTIONS:** Enclosed are information sheets and forms for filing a Small Claims case. Please read these forms carefully before completing them. If you are filing by mail then return them to us with a stamped, self-addressed envelope and a check or money order for the filing fees (see Fee Schedule below). Please call the appropriate court listed below if you have questions that are not answered in this instruction packet.
2. **PLAINTIFF'S CLAIM (SC 100):** Completely fill out this form and sign it. All business firms filing a claim must complete the FICTITIOUS BUSINESS NAME DECLARATION (SC103).

### **FEE SCHEDULE**

(Make all checks/money orders payable to CLERK OF THE COURT)

#### **CLAIM FILING FEES:**

Claim of Plaintiff (up to 12 in past 12 months)	\$22.00
Claim of Plaintiff (13+ in past 12 months)	\$66.00
Claim of Defendant	\$22.00

#### **MISCELLANEOUS FEES:**

Service of Claim by certified mail	\$ 8.80 per defendant
Certification of documents	\$ 6.60
Photocopies	\$ .75/page
Request for Postponement	\$10.00

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#### **Court Addresses**

**Office Hours at all locations: 8:30 a.m. to 4:00 p.m., Monday - Friday**

Allen E. Broussard Justice Center  
600 Washington Street, 3<sup>rd</sup> Floor  
**Oakland, CA 94607**  
(510) 268-7737

Berkeley Courthouse  
2000 Center Street, Suite 202  
**Berkeley, CA 94704**  
(510) 644-8999

Fremont Hall of Justice  
39439 Paseo Padre Parkway  
**Fremont, CA 94538**  
(510) 795-2360

Gale/Schenone Hall of Justice  
5672 Stoneridge Drive  
**Pleasanton, CA 94588**  
(925) 551-6886

George E. McDonald Hall of Justice  
2233 Shoreline Drive  
**Alameda, CA 94501**  
(510) 268-4219

Hayward Hall of Justice  
24405 Amador Street, Room 108  
**Hayward, CA 94544**  
(510) 670-5059

#### **Web sites for Small Claims Information**

[www.courtinfo.ca.gov/courts/trial/smallclaims](http://www.courtinfo.ca.gov/courts/trial/smallclaims)

[www.co.alameda.ca.us/courts](http://www.co.alameda.ca.us/courts)

#### **NAMING AND SERVING THE DEFENDANT**

On the PLAINTIFF'S CLAIM, you must name and give the addresses of all parties you feel are responsible. All defendants must be served. The judge will determine who is responsible.

**EACH DEFENDANT AND/OR COMPANY MUST BE LISTED ON SEPARATE LINES**

WHEN YOUR CLAIM IS AGAINST	SUIT SHOULD BE NAMED AS
AN INDIVIDUAL two or more individuals	John Smith John Smith and Mary Jones (each on its own line)
A BUSINESS Sole Owner  Partnership  Corporation	John Smith individually and doing business as Smith's Muffler Service  John Smith individually and doing business as Smith's Muffler Service Mary Jones individually and doing business as Smith's Muffler Service (each on its own line)  Smith's Muffler Service, John Smith - President or Secretary or Treasurer
GOVERNMENTAL AGENCY	Give full legal name of the public entity
AUTO ACCIDENT	John Smith - Driver Mary Jones - Owner (for both the plaintiff's auto and the defendant's auto) (each person on its own line)
A MINOR (under the age of 18)	John Smith, a minor of the age of _____ years

**NOTE:** It is your responsibility to sue the correct entity. Incorrectly naming a defendant could cause delay or result in dismissal of your claim.

Have your papers served **AS SOON AS POSSIBLE** and submit the Proof of Service to the Clerk's Office **NO LATER** than 48 hours (2 business days) prior to your court date. Refer to INFORMATION FOR THE SMALL CLAIMS PLAINTIFF, form #SC-150 (included in this packet), for information regarding process of service. Your case may be dismissed if you do not serve the defendant or reset your case.

You can obtain information regarding small business ownership by consulting with the business license office at the respective City Halls.

For information about corporations and their corporate officers, contact the office of the Secretary of State or the Alameda County Recorder's Office (each listed below).

Secretary of the State of California  
1500 11<sup>th</sup> Street, 3<sup>rd</sup> Floor  
ATTN: CIRC Unit  
(916) 653-6814 (taped message and fee information)

Fictitious business name research for Alameda County: Recorder's Office  
1106 Madison Street  
Oakland, CA 94612  
(510) 272-6789  
8:30 a.m. to 4:30 p.m., Monday – Friday

For information about free small claims legal advice drop-in clinics and phone consultations, please call 510-268-7221.